

March 21, 2012
Regular Session

The Bellevue City Council met on March 21, 2012 in regular session at 6:30 p.m. in the Council Chambers with Mayor Christopher J. Roling presiding. The Pledge of Allegiance was recited by all present. The roll call was as follows:

PRESENT: Councilmembers Gary Feuerbach, Dan Blitgen, Tim Roth, Allen Ernst and Darla Lawson. Also present were Chamber Director Colleen Myers, Police Officer Corey Kettmann, Chamber President Trisha Patzner, Editor Sara Millhouse, Deputy Sheriff Terry Roling, Adam Herrig and City Administrator Loras Herrig

ABSENT: None

APPROVAL OF AGENDA

Mayor Roling approved the agenda with the following changes:

1. Addition of Library Bills and Claims for both February and March to the Consent Agenda
2. Table City Daycare Discussion

PUBLIC HEARING ON PARK STREET STORM SEWER PROJECT

Mayor Roling announced the time had arrived for the Public Hearing on the Park Street Storm Sewer Project.

There being no one present wishing to speak on the Park Street Storm Sewer Project it was moved by Blitgen and seconded by Lawson to close the public hearing. Motion carried unanimously.

ATV COMMITTEE

Deputy Sheriff Terry Roling updated the Council on the progress of the Jackson County ATV Committee. The Council reviewed Resolution No. 06-06 initially passed by the Jackson County Board of Supervisors. This resolution controls and patrols rides through Jackson County. Deputy Roling will be riding along with the ATV riders. Routes will be mainly graveled roads and shoulders of highways. The first ride is anticipated to be on June 9, 2012 starting at Whispering Meadows and heading in the general direction of Preston. Roling asked the Council's permission to use the snowmobile route or other routes in the City of Bellevue when the ATV rides come to Bellevue. Helmets will not be required. All rides will be during the day and that no ride will start until one half hour after sunrise and that all rides will be completed at least one half hour before sunset. After discussing the matter it was moved by Feuerbach and seconded by Roth to authorize the Jackson County ATV Committee to use the streets of Bellevue using the most direct route when entering and leaving the community. Motion carried unanimously.

TRISHA PATZNER/BELLEVUE CHAMBER OF COMMERCE

Chamber President Trisha Patzner appeared to ask if there was any funding available to help the Chamber with their budget particularly with the high cost of advertising. It was moved by Blitgen and seconded by Feuerbach to authorize the immediate transfer of \$2500 to the Chamber from the County funds that the City has already received. It was moved to authorize the expenditure of \$2500 from the Hotel/Motel funds at the beginning of the next fiscal year budget. It was also moved to allow BETA to apply for the \$5,000 in County funding beginning with the next fiscal year instead of the City. Motion carried unanimously.

CONSENT AGENDA

It was moved by Lawson and seconded by Ernst to approve the Consent Agenda. Motion carried unanimously.

- A. Approve minutes of March 7, 2012 Regular Session and March 12, 2012 Special Session
- B. Approve Bills and Claims as authorized
- C. Approve February and March 2012 Library Bills and Claims As Authorized

CITY HALL ROOF UPDATE

Herrig informed the Council that he met with a representative of Geisler Brothers of Dubuque, Iowa, the firm that will be repairing the City Hall roof. Also present at the meeting were Ron Balmer Architect of IIW and Dennis Kieffer of Kieffer Plumbing and Heating. The main purpose of the meeting was to coordinate activities. The work should begin immediately and be completed by mid April.

MARCH 28, 2012 WORK SESSION RESCHEDULING

Dan Schroeder and Gary Ploeger will not be available for the March 28, 2012 work session. Herrig was instructed to reschedule the meeting as soon as possible.

ORDINANCE NO. 381 CHANGING THE ZONING CLASSIFICATION TO C2 HIGHWAY FOR THE AREA OF RIVERVIEW STREET NORTH FROM HIGH STREET TO MOTTE STREET

It was moved by Ernst and seconded by Roth to approve the third and final reading and passage into law upon publication of Ordinance No. 381 Roll call vote. Motion carried unanimously

ORDINANCE NO. 381

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF BELLEVUE, JACKSON COUNTY, IOWA BY CHANGING THE ZONING CLASSIFICATION TO C-2 HIGHWAY COMMERCIAL FOR THE AREA OF RIVERVIEW STREET NORTH FROM HIGH STREET TO MOTTE STREET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLEVUE, IOWA, AS FOLLOWS:

Section 1. The following described real property situated within the City of Bellevue, Iowa is presently zoned as I-1 Light Industrial as shown on the Official Zoning Map of the City of Bellevue, Iowa, to-wit:

Beginning at the northeast corner of Lot 2 of Hovey-Bellevue Place in the City of Bellevue, Iowa; thence westerly along the northerly line of said Lot 2 and westerly extension thereof to the easterly right-of-way line of Jefferson Avenue in the City of Bellevue, Iowa; thence northerly along said easterly right-of-way line to the southerly right-of-way line of Motte Street in the City of Bellevue, Iowa; thence easterly along said southerly right-of-way line to the westerly right-of-way line of North Riverview Street in the City of Bellevue, Iowa; thence southerly along said westerly right-of-way line to the point of beginning (the "Geographic Area").

Section 2. In accordance with Zoning Ordinance, Article XI- Amendments or Separability Clauses, Section 1- Amendments, Subparagraphs A - D, Bellevue Code of Ordinances (2009), the Planning and Zoning Commission has submitted its final report and recommendation that the zoning classification for the Geographic Area in the City of Bellevue, Iowa be re-classified from I-1 Light Industrial to C-2 Highway Commercial.

Section 3. In accordance with Zoning Ordinance, Article XI- Amendments or Separability Clauses, Section 1- Amendments, Subparagraph E, Bellevue Code of Ordinances (2009), the City Council has held a public hearing on the proposed zoning re-classification for the Geographic Area and all remaining requirements for the zoning re-classification of the Geographic Area have been met.

Section 4. The zoning classification for the above-described Geographic Area is hereby changed, modified, amended and re-classified from I-1 Light Industrial to C-2 Highway Commercial.

Section 5. The Official Zoning Map of the City of Bellevue, Jackson County, Iowa shall be modified and amended to reflect the zoning classification as C-2 Highway Commercial for the following described real property, to-wit:

Beginning at the northeast corner of Lot 2 of Hovey-Bellevue Place in the City of Bellevue, Iowa; thence westerly along the northerly line of said Lot 2 and westerly extension thereof to the easterly right-of-way line of Jefferson Avenue in the City of Bellevue, Iowa; thence northerly along said easterly right-of-way line to the southerly right-of-way line of Motte Street in the City of Bellevue, Iowa; thence easterly along said southerly right-of-way line to the westerly right-of-way line of North Riverview Street in the City of Bellevue, Iowa; thence southerly along said westerly right-of-way line to the point of beginning.

Section 6. Repealer. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 7. Severability. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional by a court of competent jurisdiction, such adjudication

shall not affect the validity of the Ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

Section 8.*Effective Date.* This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed and approved this _____ day of _____, 2012.

Christopher J. Roling, Mayor

Attest:

Loras Herrig, City Administrator

REVISION OF CURFEW ORDINANCE

The Council is being asked to revise the section on service of notice for curfew violators. At the present time all warnings must be sent certified mail with identity requested. The Police Department would like to be allowed as an alternative to have personal service by the Police Department to the adult responsible for the minor. A recent round of curfew violations cost the Police Department approximately \$300 in mailing costs. It was moved by Lawson and seconded by Feuerbach to instruct Herrig to prepare the proper ordinance to allow personal service of notice by police officers for curfew violators. Motion carried unanimously.

PARK STREET STORM SEWER PROJECT

It was moved by Roth and seconded by Blitgen to approve the Plans, Specifications, Form of Contract and Estimate of Cost for the Park Street Storm Sewer Project. Motion carried unanimously.

AWARD OF BID FOR PARK STREET STORM SEWER PROJECT

It was moved by Feuerbach and seconded by Lawson to award the bid for the Park Street Storm Sewer Project to BWC Excavating, LLC in the amount of \$343,048.52. Motion carried unanimously.

ORDINANCE NO. 382 AMENDING THE SNOWMOBILE ROUTE

It was moved by Feuerbach and seconded by Ernst to introduce and approve the first reading of Ordinance No. 382 Amending the Snowmobile Route. Roll call vote. Motion carried unanimously.

RIVIERA BELLE ESTATES SUBDIVISION SIDEWALK PLAN

The Council reviewed a sidewalk plan that was presented by the owners of the Riviera Belle Estates subdivision. It was moved by Ernst and seconded by Blitgen to approve and accept the sidewalk plan. Motion carried unanimously.

INSTITUTE OF PUBLIC AFFAIRS TRAINING PROGRAM

The Council reviewed information on a training program being offered by the Iowa Institute of Public Affairs. The Council asked that it be tabled and presented again at the end of summer.

RESOLUTION NO. 07-12 CLOSING THE HERITAGE DAYS SAFETY FUND

It was moved by Feuerbach and seconded by Roth to close the Heritage Days Safety Fund. Roll call vote. Motion carried unanimously.

RESOLUTION NO. 07-12**A RESOLUTION CLOSING THE HERITAGE DAYS SAFETY FUND**

WHEREAS, the Heritage Days Safety Fund was created by Resolution No. 04-11 on May 4, 2011, and

WHEREAS, the Fund was used to provide safety at public events, and

WHEREAS, the Funds have now been totally expended

NOW, THEREFORE, BE IT RESOLVED that the City Clerk is authorized to permanently close the Heritage Days Safety Fund.

Adopted this _____ day of _____, 2012.

City Administrator

Mayor

RESOLUTION NO. 08-12 APPROVING A REQUEST FOR GRANT FUNDS FOR REGULATORY SIGNS

It was moved by Lawson and seconded by Ernst to approve Resolution No. 08-12 Approving a Request for Grant Funds for Regulatory Signs. Roll call vote. Motion carried unanimously.

RESOLUTION NO. 08-12**A RESOLUTION DIRECTING THE MAYOR TO PARTICIPATE IN THE IOWA DEPARTMENT OF TRANSPORTATIONS' SMALL TOWN REPLACEMENT AND APPLY TO RECEIVE TRAFFIC CONTROL SIGNING MATERIALS FROM THE IOWA DEPARTMENT OF TRANSPORTATION**

WHEREAS, the City of Bellevue, Iowa recognizes the importance of maintaining the Regulatory and Warning Signs on the street system in conformance with the Manual on Uniform Traffic Control Devices, Federal Highway Administrator, U.S. Department of Transportation, and

WHEREAS, a review of signs has been conducted by the City of Bellevue or its agent to identify deficiencies in those signs eligible for replacement under the rules of the program, and

WHEREAS, the Iowa Department of Transportation will provide up to \$5,000 worth of conforming regulatory and warning signing materials to the City of Bellevue at no cost,

WHEREAS, it is understood that applications will be considered in or of receipt and will be limited to STOP, STOP AHEAD, YIELD Two-Direction Large Arrow and DONOT ENTER Signs,

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF BELLEVUE, IOWA THAT:

The Mayor is hereby directed to submit the application and request for signing materials to replace signs the City has identified in their review. This application is to be submitted to the Iowa Department of Transportations' Program Administrator for the Small Town Sign Replacement Program, and

BE IT FURTHER RESOLVED THAT:

- A. All signing materials will be installed by the City of Bellevue, Iowa within 120 days after the sign materials are furnished, and
- B. All signs will be installed in compliance with the Manual of Uniform Traffic Control Devices, Federal Highway Administration, U.S. Department of Transportation, as adopted per Iowa Administrative Rules 761, Chapter 130 and,
- C. The City of Bellevue, Iowa will certify in writing to the Department of Transportation Center Local Systems Engineer within 150 days after the sign materials are furnished, and that the signs have been installed.
- D. The City of Bellevue, Iowa recognizes that submission of this resolution along with an application, requesting signs and sign posts, represents approval by the City to participate in the Small Town Sign Replacement Program

Passed and Approved this _____ day of _____, 2012.

City Administrator

Mayor

LIBRARY BILLS AND CLAIMS

The following Bills and Claims were paid as approved:

Baker & Taylor	Library Books CD'S/DVD's	436.12
Bender's Foods	Library Special Program	16.73
Demco	Office Supplies	34.67
Follett Software Co.	Operating Supplies	1000.00
Ia. Comm. Network	Telephone	13.53
Lampe True Value	Office Supplies	103.46

Marian Meyer	Computer Expense	159.98
Marshall Cavendish	Library Books	193.94
Midwest Business Prod.	Computer/Copier Expense	95.69
Petty Cash	Misc./Postage	70.84
Windstream	Telephone	54.66
Baker & Taylor	Library Books	355.80
Demco	Office Supplies	308.00
Dubuque Network Services	Computer Expense	1160.55
Ia. Comm. Network	Telephone	9.92
Lampe True Value	Office Supplies	59.99
Marian Meyer	Computer Expense	69.95
Midwest Business Prod.	Computer Expense/Copier Expense	109.02
Petty Cash	Postage	91.14
Ia. Herit. Illus/State Historical Soc.	Periodicals	24.95
Windstream	Telephone	54.66

COUNCIL BILLS AND CLAIMS

The following Bills and Claims were paid as authorized:

Treas. State of Iowa	Sales Tax 3/1-15/2012	1790.00
IRS	Fed. W.H./S.S. Medicare	7662.02
American Funds	Payroll W.H.	1544.00
IRS	S.S./Fed. W.H./Medicare	7580.26
Ipers	Retirement	10506.39
Treas. State of Iowa	Sales Tax 2/16-29/2012	2037.00
Treas. State of Iowa	Sales Tax 2/1-15/2012	1553.00
IRS	Fed/S.S./Medicare	7460.99
Treas. State of Iowa	State Withholding	2782.00
Dubuque Networking Svc.	Cable Support Agreement	1800.00
Irene Myatt	Reimb. – Amb. Call	111.07
Black Hills Energy	City Gas Bills	1979.96
Comm. Foundation of Jac. Co.	Close Safety Fund	48784.62
Medical Assoc. Health Ins.	City Health Ins.	14611.90
Regional Transit Authority	Van Purchase	7086.00
U.S. Cellular	Police Cell Phone	94.82
Bancard Center	Return ONT's	180.29
Bellevue State Bank	Cable Loan Payoff	934542.94
Braden Wood Products	City Hall Bldg. Rep/Maint.	1026.00
Fidelity Bank	Cable Loan Payoff	934542.94
Michael Peterson	Amb. Training Reimb.	45.00
Bellevue Economic & Tourism	Allocation of County Funds	2500.00
IPERS	Retirement	10518.80
Treas. State of Iowa	State Withholding	2785.00
Advance Auto Parts	P.W. Equip. Rep/Maint.	284.69

Advanced Media Tech	Set Top Boxes	14141.44
Alexis Fire Eqt. Co.	Rural F.D. Equip. Exp.	513.60
All Seasons Trucking Inc.	Roadway Salt & Sand	1983.85
Assurant Emp. Benefits	City Life Ins.	126.00
Aurora Networks	Cable Repair	75.00
Auston's Vinyl Graphics	Sanitation & Rdwy. Eqpt. Rep./Maint.	607.50
Bancard Services	F.D. & Amb. Expense	1940.00
BBC America	Programming Charges	222.39
Bellevue Ambulance Serv.	F.D. Minor Eqpt.	61.45
Bellevue Mun. Util.	City Util. Bills	3728.49
Bellevue Pharmacy	Amb. Supplies	131.46
Bellevue Sand & Gravel	LOT Sealing & Reconst.	1260.23
Bellevue State Bank	Monthly Cable Loan Payment	2584.50
Bellevue State Bank	Monthly Cable Loan Pymt.	2330.00
Bellevue State Bank	Monthly Cable Loan Pymt.	4631.00
Big Ten Network	Programming Charges	908.41
Bound Tree	Amb. Operating Expense	37.50
Casey's General Store	Gas Purchases	178.32
JJ Scheckel	Rdwy. Eqpt. Maint.	157.34
Jac. Co. Sanitary Disposal	Tipping Fees	3220.50
Jac. Co. San. Disposal Agency	April/May/June Land Fill Asses.	8216.25
John Deere Financial	Jess/Medinger Clothing Allow.	240.96
KCRG	Programming Charges	364.00
Kent Clasen	F.D. Training Reimb.	242.40
Kieffer Plbg. & Htg.	Bldg. Rep/Maint.	2832.00
Kone Inc.	Elevator Maintenance	206.55
KWQC	Programming Charges	655.20
LaMotte Telephone Co.	Internet/Video Charges	30833.00
Lampe True Value	City Operating Exp.	1291.25
Lectronics Inc.	F.D. Radio Exp.	1500.00
Lyn Medinger	Amb. Battery – Reimb.	50.66
Maquoketa Valley Elec. Coop	Security Light	12.23
Matt Parrott	Envelopes/Reminder Notices	462.47
Med Media	Amb. Computer Expense	1910.00
Medical Assoc. Clinic	Crouch Medical Exp.	19.00
Meier Elec. Inc.	Amb. Bldg. Maintenance	14.80
Mike Sturm	Amb. Training Exp.	25.00
Midwest Business Prod.	Copier Expense	93.05
Moore Medical	Amb. Operating Exp.	127.71
Mutual Wheel Co.	Sanitation Eqpt. Repair	66.52
National Cable TV Coop	Programming Charges	13650.03
National Pen Company	Fire Prevention Exp.	236.90
NICC Continuing Ed.	Amb. Training Exp.	130.00
Overhead Door Co. of Dbq.	FD Bldg. Rep/Maint.	157.00

PCC	Amb. Billing Exp.	1194.98
Physio-Control Inc.	Amb. Operating Exp.	91.45
Reliable Office Supplies	Office Supplies	285.84
River City Paving	LOT Sealing & Reconst.	393.75
River City Paving	7 th & Jefferson St. Pymt. #3 (Final)	10614.86
River Valley Energy	City Gas Purchases	862.64
Riverside Gas & Grille	City Gas Purchases	1784.81
Roeder Bros.	City Equip. Repair Exp.	655.15
Ruth Sieverding	Monthly Maint. Exp.	650.00
Schoenthaler,Roberg,Bartlett,Kahler	Legal Expense	403.00
Sinclair Broadcast Group	KGAN/KFXA Programming	919.80
Superior Lamp Inc.	Pub. Works Bldg. Rep.	815.51
Superior Welding Supply	Amb./Rdwy Expense	198.26
Tandem Tire & Auto	Rdwy. Eqpt. Rep/Maint.	94.00
The Car Wash	City Gas Purchases	576.75
The Herald Leader	Publications	493.87
Till's	Sanitation Repair	258.18
Tower Distribution Co.	WGN Programming Charges	130.42
Tribune Media Services	EPG Guide	449.20
Truck Country of Iowa	Sanitation Eqpt. Repair	312.17
Uniform Den Inc.	Police Minor Eqpt.	536.35
U.S. Cellular	Cable/F.D./Amb/ Cell Phone	122.60
U.S. Post Office	Stamps	742.50
Vidacare	Amb. Operating Exp.	218.82
Weber Paper Co.	Office Supplies	333.95
Welter Storage Eqpt.	F.D. Operating Exp.	42.00
WHBF	Programming Charges	582.40
Wheelworks South	Police/Sanitation Eqpt. Repair	509.29
Windstream	City Phone Expense	358.42
Zarnoth Brush Works	Sweeper Maintenance	679.40
Zee Medical Inc.	Rdwy. Misc. Exp.	24.60
Zephyr Alum Products	City Hall Bldg. Rep.	3645.00

ADJOURNMENT

There being no further business to come before the Council it was moved by Blitgen and seconded by Lawson to adjourn. Motion carried unanimously.

City Administrator

Mayor